

Serial No. 10/613,023

Amendment dated November 26, 2008

Atty. Docket No. 249/388

Reply to Office Action Made Final of June 26, 2008

REMARKS

Claims 1, 2, 4-11 and 13-21 are currently pending in the subject application. Claims 1, 10, 16 and 19 are independent.

By this amendment, claims 1, 5, 6, 10, 16, 19 and 21 are amended. Support for the amendments to claims 1, 10, 16 and 19 may be at least found, e.g., in paragraphs [0032] and [0034] of the originally filed application. Claims 5, 6 and 21 are amended in view of the amendments to claims 1 and 21, from one of which they depend. No new matter is added.

A. Applicant Initiated Interview Summary

On October 31, 2008, an applicant initiated interview was conducted. Applicants appreciate the courtesies extended to applicants' representative by Examiner Shan during the personal interview. Applicants record of the interview is incorporated into the As required by 37 C.F.R. § 1.133(b), applicants' summary of that interview is as follows:

1. Brief Description of any Exhibit Shown

No exhibit was shown or demonstrated during the October 31, 2008 interview.

2. Identification of the Claims Discussed

The Examiners and applicants' representative discussed independent claim 1, as an exemplary claim.

3. Identification of the Specific Prior Art Discussed

The Examiners and applicants' representative discussed the Orava et al. reference, the Bauchot et al. reference, and the Kallio et al. reference.

4. Identification of Proposed Amendments

No proposed amendments were proposed to the Examiner during the October 31, 2008 personal interview.

5. Summary of the Arguments Presented to the Examiner

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Applicants' representative presented arguments regarding the failure of the Orava et al. reference, the Kallio et al. reference and/or the Bauchot et al. reference to disclose at least the transmission of a temporary address set to a wireless terminal.

6. General Outcome of the Interview

Examiner Shan agreed to further review any amendments to the claims and accompanying remarks upon receipt of the filed amendment.

B. Asserted Obviousness Rejection of Claims 1, 2, 4-11 and 13-21

In the outstanding Office Action Made Final, claims 1, 2, 4-11 and 13-21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2003/0177267 to Orava et al. ("the Orava et al. reference") in view of U.S. Patent No. 5,644,576 to Bauchot et al. ("the Bauchot et al. reference") and U.S. Patent No. 7,050,789 to Kallio et al. ("the Kallio et al. reference"). This rejection is respectfully traversed for at least the reasons set forth below.

All of the independent claims require, in part, creation of a temporary address set by randomly transforming a unique Media Access Control (MAC) address of a wireless terminal and simultaneously transmitting a plurality of temporary addresses included in that set to the wireless terminal. As noted, for example, in paragraph [0036] of the published application, and illustrated in process 36 of FIG. 3, this set is for each MAC address. Further, as discussed, e.g., in paragraphs [0032] and [0034], the plurality of the temporary addresses included in a temporary address set are simultaneously transmitted so as to be available to select from before data packet transmissions are performed.

Further, in the Examiner's response to arguments, the disclosure in the Orava et al. reference regarding arranging temporary MAC addresses and using several MAC addresses at a time was noted. Further, the disclosure in the Bauchot et al. reference that temporary

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MAC addresses may be generated using a stream of random bits was noted.¹ While the Orava et al. reference and the Bauchot et al. reference may disclose generating a stream of random bits from which a temporary MAC address may be selected, neither suggests, much less discloses, transmitting any set of these to the wireless terminal. Instead, in the Orava et al. reference, a single temporary MAC address may be generated in either the terminal or the access node for each service,² and in the Bauchot et al. reference, the register for such generation is in the wireless terminal itself.³ The Kallio et al. reference also fails to provide such a suggestion. Thus, at most, any transmission in this combination would be that disclosed in the Orava et al. reference, in which only a single temporary MAC address is transmitted, not simultaneous transmission of a plurality of addresses included in a temporary set, as recited in the independent claims.

Additionally, Applicants note that the Orava et al. reference, the Bauchot et al. reference and the Kallio et al. reference, alone or in combination, fail to disclose or suggest creation of a temporary address set by randomly transforming a unique Media Access Control (MAC) address of a wireless terminal. Applicants particularly note, e.g., that in col. 18, lines 31-38 of the Bauchot et al. reference, the shift registers of different stations are initialized with a value that is derived from its unique equipment identification tag, not the temporary address set including a plurality of temporary addresses.

Further, all of the independent claims recite, in part, that data packet transmission is performed using a temporary address selected from the temporary address set. This may be seen, for example, in operations 37 and 38 of original drawing FIG. 3. Such selecting of a temporary address from the stored set allows each data packet to have different destination/source addresses, without generating another temporary MAC address.⁴

¹ Office Action Made Final mailed June 26, 2008, page 3.

² See, e.g., the Orava et al. reference, paragraphs [0062] and [0069].

³ See, e.g., the Bauchot et al. reference, col. 15, line 66 to col. 16, line 2.

⁴ See, e.g., paragraphs [0041], [0048], and [0050] of the published application.

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In contrast, as none of the applied references suggest, much less disclose, sharing a temporary address set for each MAC address between a wireless terminal and an access node, none of the applied references suggest, much less disclose, simultaneously transmitting a plurality of temporary addresses included in a temporary set. At most, this combination would suggest generating a new temporary MAC address for each service, not selecting from a common set of temporary MAC addresses, the temporary addresses of which were simultaneously transmitted, as recited in all of the independent claims.

Therefore, it is respectfully submitted that a combination of teachings of all of the references have been considered, and that these references collectively fail to suggest, much less disclose, all of the limitations in independent claims 1, 10, 16, and 19. The remaining rejected claims depend, either directly or indirectly, from respective one of these independent claims, and are similarly believed to be allowable for at least the reasons set forth above. Therefore, it is respectfully requested that this rejection be withdrawn.

C. Conclusion

The above remarks demonstrate the failings of the outstanding rejections, and are sufficient to overcome them. However, while these remarks may refer to particular claim elements, they are not intended to, nor need they, comprehensively address each and every reason for the patentability of the claimed subject matter over the applied art. Accordingly, applicants respectfully submit that the claims are allowable for reasons including, but not limited to, those set forth above, and patentability of the claims does not depend solely on the particular claim elements discussed above.

In view of the foregoing, reconsideration of this application is earnestly solicited, and an early and favorable further action upon all the claims is hereby requested.

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If the Examiner believes that additional discussions or information might advance the prosecution of the instant application, the Examiner is invited to contact the undersigned at the telephone number listed below to expedite resolution of any outstanding issues.

Respectfully submitted,

LEE & MORSE, P.C.

Date: November 26, 2008


Eugene M. Lee, Reg. No. 32,039

Attachment:

Petition for Extension of Time
Request for Continued Examination

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PETITION and
DEPOSIT ACCOUNT CHARGE AUTHORIZATION

This document and any concurrently filed papers are believed to be timely. Should any extension of the term be required, applicant hereby petitions the Director for such extension and requests that any applicable petition fee be charged to Deposit Account No. 50-1645.

If fee payment is enclosed, this amount is believed to be correct. However, the Director is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-1645.

Any additional fee(s) necessary to effect the proper and timely filing of the accompanying papers may also be charged to Deposit Account No. 50-1645.